



DA C  
ZPW

## PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b> Kovac et al.	<b>Examiner:</b> M. Brown
<b>Serial No.:</b> 09/749,254	<b>Group Art Unit:</b> 3764
<b>Filed:</b> December 27, 2000	
<b>For:</b> PELVIC SURGERY DRAPE	<b>Docket No.</b> 687-424 (AMS0007/US)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT ON Dec 21, 2006, THIS PAPER  
IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS  
MAIL IN AN ENVELOPE ADDRESSED: MAIL STOP PETITION,  
COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA  
22313-1450.

Paula J. Breeden  
Paula J. Breeden

### Renewed Petition Under 37 C.F.R. 1.137(b)

Dear Sir:

This Renewed Petition follows an earlier Renewed Petition Under 37 C.F.R. 1.137(b), filed December 14, 2005. The first Renewed Petition was filed in response to a dismissal ("Dismissal"), dated November 16, 2005, which Dismissal dismissed Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally ("Petition"), in the above-identified patent application.

Further reconsideration of the Dismissal of Applicant's Petition is respectfully requested in view of the attached remarks and claim amendments.

No fee is believed to be due at this time. If, however, any additional fee is due, please charge Kagan Binder Deposit Account No. 50-1775 and notify us of the same.

**REMARKS**

Prior to the application becoming abandoned as of August 18, 2004, claims 1 through 44 were pending.

Upon granting of Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally ("Petition"), in the above-identified patent application, as presently solicited, claims 1-44 will again be pending.

The claims are amended with the current Renewed Petition, starting from claims 1 through 44 as pending upon revival of the patent application.

Claims 8, 27, 28, and 34 are presently amended so that all pending claims include the feature of a finger cot constructed of a second material more flexible than a flexible material of a sheet. It is believed that all claims are patentable at least in view of this feature.

Claims 1-7, 9-26, 29, 30, 35, 38, 40-41, and 43-44, are canceled.

Claims 8, 27, 28, 31-34, 36, 37, 39, and 42, all of which include a feature of a finger cot constructed of a material which is more flexible than said flexible material of the drape or sheet, remain in the application for consideration.

Reconsideration and allowance of the claims in light of the following remarks are respectfully requested.

Please amend the claims as follows:

1-7 (canceled).

8. (currently amended) A medical device comprising:

a sheet of flexible material having an aperture of a predetermined size through which a body orifice may be accessed with a probe; wherein genitalia comprise the body orifice;

an adhesive backing operably disposed on said sheet, proximate said aperture, wherein the adhesive backing secures the sheet, proximate said aperture, to an area surrounding the genitalia; and,

a finger cot disposed on said sheet,

wherein said finger cot is sized to enable access to a second body orifice with the probe, and

wherein said finger cot provides a barrier between said probe and said second body orifice, and,

The device of claim 1 wherein said finger cot is constructed of a second material which is more flexible than said flexible material.

9-26 (canceled).

27. (currently amended) A method of conducting a digital vaginal and digital rectal examination on a patient comprising:

placing a drape over a pelvic region of the patient, the drape including a vaginal aperture, a finger cot, and an adhesive backing, the drape comprising a sheet of flexible material, wherein said finger cot is constructed of a second material which is more flexible than said flexible material;

positioning said drape such that said vaginal aperture is aligned with the patient's vagina;

examining the patient's vagina by placing a probe in the patient's vagina;

removing the probe from the vagina;  
placing the probe in said finger cot;  
placing the probe, covered by said finger cot, in the patient's rectum; and  
examining the patient's rectum with said probe.

28. (currently amended) A method of examining the pelvic region of a patient comprising:

draping a sheet of material over said pelvic region of said patient, the sheet comprising flexible material having an aperture through which a body orifice may be accessed with a probe, and a finger cot, wherein said finger cot is constructed of a second material which is more flexible than said flexible material;

inserting a probe into a vagina of said patient through ~~[[an]]~~ the aperture in said sheet; and

inserting said probe into a rectum of said patient through the finger cot ~~a second aperture in said sheet; and,~~

~~providing a barrier between said probe and said rectum prior to inserting said probe into said rectum.~~

29-30. (canceled)

31. (original) A method as set forth in claim 28, wherein said probe is not cleansed between the act of inserting in the vagina and the act of inserting in the rectum.

32. (original) A method as set forth in claim 28, further including collecting fluid from said patient in said sheet of material.

33. (original) A method as set forth in claim 32, further including discerning a volumetric quantity of fluid in said sheet of material from visual indicators on said sheet of material.

34. (currently amended) A method of examining the pelvic region of a patient comprising:

providing a layer of protection between said pelvic region of said patient and an examining clinician, the layer of protection comprising a flexible material and a finger cot, wherein said finger cot is constructed of a second material which is more flexible than said flexible material;

examining a first body orifice in said pelvic region through said layer of protection with a probe free from any barrier between said probe and said first body orifice; and,

examining a second body orifice in said pelvic region with a probe having [[a barrier]] the finger cot between said probe and said second body orifice.

35. (canceled)

36. (original) A method as set forth in claim 34, wherein said first body orifice is a patient's vagina.

37. (original) A method as set forth in claim 36, wherein said second body orifice is a patient's rectum.

38. (canceled)

39. (original) A method as set forth in claim 34, wherein said probe is not cleansed between said examination of said first body orifice and examination of said second body orifice.

40-41 (canceled).

42. (previously presented) A medical device comprising:

a sheet of flexible material having an aperture of a predetermined size through which a body orifice may be accessed with a probe;

an adhesive backing operably disposed on said sheet, proximate said aperture; and,

a finger cot disposed on said sheet,

wherein said finger cot is sized to enable access to a second body orifice with the probe and,


wherein said finger cot provides a barrier between said probe and said second body orifice, and,

wherein said finger cot is constructed of a second material which is more flexible than said flexible material.

43-44 (canceled).

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

By:   
Daniel C. Schulte, Reg. No. 40,160  
**Customer Number 33072**  
Phone: 651-275-9806  
Facsimile: 651-351-2954

Dated: Dec. 21, 2006

DCS32343